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ABSTRACT

This report explores the Cleveland voucher program and its impact on Cleveland students, discussing the key questions that parents, the public, and policymakers are asking. It reviews how vouchers are funded, the actual cost of vouchers to taxpayers and the state, and what choices are really available to students whose families opt for vouchers. It addresses issues of equity and religious freedom, the level of accountability in voucher schools, and the most recent research on the impact of vouchers on student performance and achievement. The report concludes that the program has cost millions of dollars with no demonstrable impact on educational achievement. When the legislature launched the program, it funded the costs by depleting the very kind of aid that is specifically designed to help poor and at-risk public school students. The courts determined that nearly 40 percent of voucher students came from families above the poverty line, and one-third of all voucher students were already attending private schools. There is no credible evidence demonstrating that vouchers offer an academic advantage over public schools, and a recent state-commissioned evaluation showed that public school students made greater gains than voucher students over the 2 years of the study. (SM)

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Five Years and Counting:

A Closer Look at the Cleveland Voucher Program

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From the beginning, backers of a proposal to establish a private-school voucher program in Cleveland, Ohio, went to great pains to proclaim their intentions. The voucher proposal, they declared, was a means to improve educational opportunity for poor students who weren't doing well in public schools. In the mid-1990s, when the Ohio Legislature was still debating the voucher proposal, Governor George Voinovich insisted that vouchers would "offer Cleveland school district parents—and particularly low-income families—new opportunities..."[1] In 1996, a reporter for the *Washington Times* summarized voucher advocates' arguments: "Supporters of the voucher program," the newspaper observed, "counter that it gives low-income parents the right to make school choices they could not otherwise afford and gives their children a long-denied chance for a better education."[2]

Has the Cleveland Scholarship and Tutoring Program—the name that state officials use for the voucher program—fulfilled the lofty goals that were identified by its supporters?

This report, *Five Years and Counting: A Closer Look at the Cleveland Voucher Program*, explores the voucher program and its impact on Cleveland students since it was begun in the 1996-97 school year. Specifically, the report examines the key questions that parents, the public and policymakers are asking—reviews how vouchers are paid for, the actual cost of vouchers to taxpayers and the state, and what choices are really available to students whose families opt for vouchers. *Five Years and Counting* also addresses the issues of equity and religious liberty, the level of accountability in voucher schools, and the most recent research on the impact of vouchers on student performance and achievement.

1. Which students qualify for vouchers and how many are participating?

Enacted in 1995, the voucher law provides that any K-3 student residing within the boundaries of the Cleveland Municipal School District can apply for a "scholarship" to attend private or religious schools. Once admitted, students may continue to receive vouchers through the 8th grade. Vouchers are assigned through a random-selection lottery system. Cleveland's voucher program was the first to include religious schools, and the program permits the participation of students already enrolled in private schools.[3]

The program provides vouchers of up to 90 percent of a religious or other private school's tuition, or up to a maximum of $2,250 (whichever is less), for families earning *at or below* 200 percent of the federal poverty level. The state pays 75 percent of a participating school's tuition or a maximum of $1,875 for eligible families earning *more than* 200 percent of the federal poverty level. In 1996, the first year of the program, 1,994 vouchers were granted to eligible students. For the current 2001-02 school year, 4,266 students are using vouchers.[4]

2. Who pays for vouchers and how much do they really cost?

The vast majority of funds for the Cleveland voucher program have come from Cleveland's portion of the state's Disadvantaged Pupil Impact Aid (DPIA) program.[5] To date, the Cleveland

voucher program has cost more than $28 million. When direct administrative costs are factored in, costs of the voucher program increase to $33 million. For the 2001-02 school year there are 4,266 voucher students. Costs of the program this year are estimated to exceed $8 million in DPIA funds, with an additional $2 million or more being spent by Cleveland public schools to provide transportation for voucher students. In total, the voucher program will cost more than $10 million this year, 100 percent of which comes from funding intended to benefit children in Cleveland public schools.[6]

Although the maximum voucher amount under the Cleveland program is $2,250, this figure does not represent the total cost to taxpayers. In addition to the voucher amount, there are numerous program expenses that taxpayers must shoulder such as administration and oversight of the program, record keeping, information dissemination, transportation and other services. In fact, it has been estimated that Ohio spends more state tax money per voucher student than it does for nearly 90 percent of the state's public school children.[7] From 1991 through 1998, the state appropriated more money for its private schools ($1.1 billion) than it did to refurbish its public schools ($1 billion).[8] For Ohio to prioritize state funds in this way is significant given that, until recently, federal officials ranked the condition of school facilities in Ohio dead last among all 50 states. As this school year began, a spokesman for the Ohio School Boards Association called the state's public school infrastructure "a huge, huge problem."[9] In the 1998-99 school year alone, $140 million went to private schools for textbooks, reading and math specialists, science equipment and more.[10] *All* of Ohio's private schools—including those receiving voucher money—already receive an average of about $600 per pupil in cash, supplies and services from state taxpayers and local schools.[11]

From 1991 through 1998, Ohio appropriated more money for its private schools than it did to refurbish its public schools.

Furthermore, more than most states, Ohio relies heavily on local property taxes to fund state education. Consequently, affluent, predominantly suburban districts have much greater means to fund their public schools than do poor inner city and rural districts. A recent *Education Week* analysis ranks Ohio 44th out of 50 states in ensuring equitable funding.[12] Three times in the past decade, the Ohio Supreme Court has ruled the state's school funding formula unconstitutional and raised concerns about the method used to calculate the cost of an adequate education. In the most recent decision on September 6, 2001, the justices said they were prepared to uphold the constitutionality of the funding system if the legislature agrees to substantially raise expenditures on K-12 education. However, Senate President Richard Finan (R-Evendale) has stated that he would not support either a tax increase or budget cuts to meet the court order. Said a defiant Finan: "I say let the court figure it out."[13]

During the very years that this funding impasse between the Ohio Supreme Court and the legislature was playing out, the legislature continued to find money for vouchers and private schools. Cleveland's Catholic schools received $3.3 million in state tax money in 1998, while some of the state's public schools were found to have among the worst facilities and technology in the nation.[14] Clearly, legislators' decisions were not driven by fiscal responsibility, as the voucher program exceeded its budget by about 20 percent during its second year. Incredibly, this

shortfall was covered with funds earmarked for public schools even when public schools, at the same time, were borrowing against future revenues to keep their doors open.[15]

Voucher advocates argue that tuition scholarships allow eligible students to leave public schools, reducing the number of students in classes and thereby saving public schools money. However, a study conducted by consulting firm KPMG found that the Cleveland district's operating costs continued to increase despite the voucher program. KPMG found that even those students who left the public schools to use vouchers were drawn from throughout the large district, so that it "is not able to reduce administrative costs or eliminate a teaching position...." Instead, KPMG reported, Cleveland's public schools are "losing [state aid] without a change in their overall operating costs."[16]

Voucher proponents claim that vouchers save taxpayer money since the voucher amount is less than the average per-pupil expenditure in public schools. However, their estimates fail to take into account the cost of services that most private schools do not provide—such as breakfast and lunch programs, health services, aid for children with disabilities, special education and ESL programs, counselors and transportation. The state provides Cleveland public schools with DPIA funds to pay for many of these services. DPIA is directed toward low-income public school students to be used for such programs as class size reduction, dropout prevention, Head Start or pre-school, all-day kindergarten, reading improvement and summer school.[17] However, in the first five years of the program, as much as $27.6 million that would have gone to implement these various programs to benefit Cleveland's disadvantaged public school students has been diverted to the voucher program.[18] These diverted funds could have strengthened Cleveland's ability to shape and direct new programs toward low-achieving students, and could have eased budgetary pressures that for example, forced the district to eliminate all-day kindergarten for its non-magnet schools for the first two years of the voucher program.[19]

Voucher advocates argue that students who use vouchers to leave public schools save the Cleveland Municipal School District money. But a KPMG study contradicts this claim.

Additionally, while the Cleveland voucher program was responsible for providing transportation services, the state audits found irregularities and transportation cost overruns. Beginning in 1999, this responsibility was shifted from the voucher program to the Cleveland Municipal School District—without any additional funding for the district. Whereas public school students are concentrated in smaller areas (allowing the district to take advantage of economies of scale and transport more children for less money), voucher students and schools are scattered all over the city, resulting in higher costs to transport voucher students. Moreover, voucher schools operate on different schedules than public schools, making it impractical to use regular public school bus routes to transport voucher students, and resulting in more overtime pay for drivers when the private schools operate but public schools do not, such as public school holidays and teacher planning days. In addition, some voucher students' homes are too remote to be served efficiently by buses, forcing the Cleveland Municipal School District to pay an estimated $1,200-$1,800 per pupil per year to transport these students by taxi.[20]

Since voucher student transportation costs are no longer paid for out of the voucher program budget, the *direct* costs of the voucher program have decreased considerably—by an average of $815 per student per year. Unfortunately, this burden has been shifted to the Cleveland public schools. These *indirect* transportation costs of the voucher program—which exceed the $500 per student per year that it costs to transport public school students in Cleveland—mean that the city's public schools must shoulder a burden of more than $2 million for the 2001-02 school year. Of course, $2 million could have paid for any number of educational or extracurricular programs for public school students.[21]

3. Do vouchers truly provide "choice" for poor students in Cleveland's public schools?

Voucher advocates claim that the Cleveland program helps poor families who want to leave public schools. Yet, during the program's first year, $1.6 million—almost 25 percent of Ohio taxpayers' cost—went toward the tuition of students already enrolled in private schools.[22] In fact, a recent study conducted by the Cleveland-based research institute Policy Matters Ohio determined that one in three students participating in the voucher program was already enrolled in a private school prior to receiving a voucher.[23] In addition, according to the United States Court of Appeals decision that ruled the program unconstitutional, almost 40 percent of the students receiving vouchers in the 1999-2000 school year were above the poverty line.[24] Similarly, in 1998 the state auditor reported that 113 vouchers were awarded to families whose incomes were more than twice the poverty level. This finding led the state auditor to recommend that the Ohio General Assembly clarify whether the law's intent was to award vouchers to poor students.[25] To date, legislators have not provided such a clarification.

A recent study revealed that one in three voucher students was already enrolled in a private school prior to receiving a voucher.

Furthermore, there were efforts in the 2001 legislative session to make vouchers available to the children of wealthier families. One state representative introduced a bill that would have at least doubled the dollar value of the voucher—a proposal that, if ever passed, could double the cost of the program as a whole. At the same time, a state senator proposed to expand the program to 35 districts that were deemed to be in a so-called "academic emergency." All students in these districts—regardless of income—would be eligible for vouchers, further undermining claims that the program targets low-income students.[26]

Moreover, the *Akron Beacon Journal* has reported that Francis Rogers, a state official responsible for designing the student selection process for the Cleveland voucher program, told his boss that the selection process used during the first year appeared to favor higher-income children over poorer children whose names had been originally selected in a lottery. Additionally, Rogers was reportedly surprised to hear about memos from voucher advocate David Brennan to former Governor Voinovich suggesting how the lottery should be run and seeking guaranteed access to wealthier students for Brennan's own HOPE Academies—which, at the time, were voucher schools.[27]

Finally, it is voucher schools, not parents, that exercise the real "choice," often excluding students due to special education status, disabilities, behavioral problems, academic performance, religious affiliation or other factors. Brennan candidly wrote to then-Governor Voinovich in 1996 that "none of the existing private schools will be able to handle a seriously handicapped child." An Ohio Department of Education spokeswoman recently commented that while spokespersons for the voucher program did not expressly discourage applications from parents of disabled or special needs children, officials were informing parents that needed services might not be available in voucher schools. "Many Catholic schools are not equipped to handle handicapped children or do not offer the services they need," she said.[28] This is significant, given that Catholic schools make up roughly 60 percent of the participating Cleveland voucher schools.[29] Moreover, these findings underscore a fundamental distinction: private schools, unlike public schools, are not required to educate every child.[30] And this fact is not unique to Cleveland. A 1998 survey by the U.S. Department of Education of private schools in large inner-cities found that between 70 and 85 percent of schools would "definitely or probably" *not* be willing to participate in a voucher program if they were required to accept "students with special needs such as learning disabilities, limited English proficiency or low achievement."[31] And 86 percent of all religious schools expressed this same unwillingness to participate.[32]

4. Are Cleveland voucher schools accountable to the public?

Incidents of corruption, mismanagement and poor planning have spurred not only voucher opponents, but some supporters as well, to call for voucher schools to ensure greater accountability for their academic and fiscal performance. An overwhelming majority of taxpayers polled in Cleveland—whether or not they support vouchers—believe voucher schools should be required to report the results of annual audits, budget decisions and status, teacher qualifications, curriculum, standardized test scores, teaching methods and more.[33]

Voucher advocates have helped to block accountability measures, including a bill that would have required state officials to make at least one on-site inspection of voucher schools.

However, voucher advocates and legislators continue to block accountability measures for private schools participating in Cleveland's voucher program. In the 2000 legislative session, state Senator C. J. Prentiss (D-Cleveland) sponsored a bill that would have required the Ohio Department of Education to make at least one on-site inspection of participating schools each year. While the bill passed the Senate, the House Education Committee did not vote on it.[34]

Similarly, a loophole in the voucher law gives the state superintendent of public instruction the authority to exempt schools in the voucher program from meeting state standards for nonpublic schools. From the start of the program, five voucher schools were granted an exemption from standards that include: open records provisions, requirements that teachers be certified and subject to background checks, and compliance with fire, health and safety inspection laws. Legislation has not closed this

loophole. As a result, these schools have been afflicted with fire code and safety violations, inadequate instruction, classroom health hazards, a lack of faculty background checks, falsified report cards and more.[35]

These same five schools collected about $1 million in vouchers prior to completing their application processes; three of the five schools were still in the voucher program as of December 1999.[36] That year, one of the two schools that ceased to participate in the program was the Islamic Academy School of Arts and Sciences (IASAS). This school was allowed to operate for two years despite the fact that its 110-year old building had no fire alarm or sprinkler system and was under a "fire watch," requiring staff to check for fires every 30 minutes. Lead-based paint, which can cause brain damage in children, was found at a level *eight times* greater than generally accepted as safe. Eight of the 12 instructors at IASAS lacked state teaching licenses, and one had been convicted of first-degree murder in a 1964 shooting. State officials acknowledged oversight problems only after learning about school conditions from a *Cleveland Plain Dealer* article.[37]

One Cleveland voucher school was allowed to operate for two years despite the fact that it had no fire alarm or sprinkler system.

Safety was only one of the major problems at the Academy. The state auditor subsequently released an audit of IASAS, ordering the voucher school to repay nearly $70,000 in tax dollars because IASAS accepted voucher payments for students who were not attending the school, or who had only attended for part of the year. In 1999 alone, *over half* (32 of 56) of the students for whom the school received voucher payments did not attend the Academy at all or did so for only part of the school year. Many of these students actually attended Cleveland public schools for some or all of that year. The audit also reported that the school would not initially provide student files to the state, and, when IASAS finally did comply, student files had been deliberately falsified to mask the fact that some voucher students had never attended the school: "[I]t appeared that report cards provided for students who we had identified as having attended the Cleveland Municipal School District were duplicates of other report cards for students who did attend the IASAS, the difference being the names were altered."[38]

The IASAS officially closed its operations at the end of the 1998-99 school year.[39] State Auditor Jim Petro indicated that the state had been unable to locate the school owners and hold them accountable for restitution. However, by early 2000, a group of anonymous voucher supporters repaid the nearly $70,000 of tax dollars—plus an additional $11,000 in unpaid utility bills incurred by IASAS—to the Ohio Department of Education.[40]

Similar problems at the Golden State Christian Academy were compounded by inadequate classroom instruction. Led by an unpaid director, the school is a parent-run "video school." Students sit in front of a television and watch recorded lessons given by an on-screen teacher. The video lessons and workbooks are produced by the Pensacola Christian Academy, which features "a faculty of master [video] teachers that are dedicated to serving the Lord through Christian education." After receiving nearly $150,000 in public funds, it was discovered that the school had no fire safety or health certificate, lacked immunization records for any of its students, and had failed to post emergency procedures. Furthermore, the school's gym was found to have exposed electrical wiring. Golden State's voucher privileges were finally revoked for gross non-

compliance as the school was beginning its third year in the voucher program.[41]

Additionally, accounting problems and lack of financial controls have plagued the program from the start. An independent auditor contracted by the state to evaluate the program found almost $2 million in questionable expenses for the first year. Of this figure, $1.4 million was spent on transportation, predominantly for taxis to transport voucher students at a cost of $15-$18 per student per day. This compares to the average cost of a school bus at $3.33 per day.[42] The January 1999 audit found that $419,000 in over-billing by taxi companies since 1997 was largely due to billing for absent students.[43]

5. What does the research reveal about the educational impact of the Cleveland voucher program?

A multi-year, state-sponsored evaluation of the Cleveland program is being conducted by an Indiana University team led by Kim Metcalf. The first three reports examined the experience of voucher students and a comparison group over a two-year period, beginning with third grade.[44] Recently, on September 4, 2001, a new report was issued which covers the first and second grade experiences of voucher and public school students in Cleveland. Overall, despite voucher proponents' claims, the available studies fail to demonstrate a significant educational advantage for students who receive vouchers.

1999 data showed that public school students scored higher on tests than voucher students who attended private schools that had opened to serve voucher students.

To date, the clearest, most unequivocal finding from the state-sanctioned evaluations of the voucher program is that students who used vouchers to attend *new* private schools—those established specifically to serve voucher students—scored significantly lower on academic tests in *all* subjects than their peers in both public schools and the more established private schools.[45] In 1999, it was found that students using vouchers to attend older, established private schools performed on par with those attending public schools. On a subject-by-subject basis, these voucher students out-gained public school students only in science. Overall test scores and the other four subject scores revealed no significant differences between voucher students in established private schools and public school students.[46]

Responding to Metcalf's first-year report, Paul Peterson and his research team claimed that findings from the 1997 evaluation of new private schools (HOPE Academy voucher schools) showed significant academic gains.[47] Peterson was hired to evaluate these schools by their founder, David Brennan, a prominent voucher advocate.[48] Peterson criticized the Indiana University study primarily for failing to include HOPE Academy test scores and for using second grade test scores taken prior to entry in voucher schools as a basis for comparison with third grade voucher scores.[49]

Metcalf responded with a strong article entitled "Advocacy in the Guise of Science." In it, he wrote that the Peterson researchers "are strong supporters of vouchers and have done much to promote the implementation of voucher programs throughout the country. So it is possible that they are engaged in a deliberate effort to misrepresent the Cleveland data in order to influence

educational policy."[50] Specifically, Metcalf responded that he *did* include the HOPE scores but put them into a different section because HOPE students took a different test. Concerning the second-grade tests, Metcalf pointed out that assessing first-year results of an experiment without a baseline is "a little like trying to determine who won a basketball game by looking only at the points scored in the second half of the game."[51]

The Ohio Legislative Committee on Education Oversight (LCEO), responsible for monitoring Cleveland's voucher program, further discredited Peterson's criticisms. The LCEO found that Peterson's criticisms of the Metcalf study were "unfounded" and charged that he had released his critique to the *Wall Street Journal*, the *Washington Post* and the World Wide Web because he didn't like the results, even though the study's methods "are viewed as appropriate and credible by disinterested scholars."[52]

6. What does the study released this year tell us about academic performance?

The 2001 report by Indiana University's Metcalf compares four groups of students from the time they entered first grade in 1998-99 through the end of second grade. There are two groups of voucher students: a 3-year voucher group that entered the voucher program at the start of kindergarten, and a 2-year voucher group that entered the program at the start of first grade. The study also included two groups of public school students: those whose families had applied for a voucher and either not received or not used one (called "applicant/non-recipients"), and their classmates, whose families had not applied for a voucher (called "non-applicants").[53]

Metcalf found that *both* public school groups in the study demonstrated greater learning gains in the subjects tested (language, reading and math) over the two years of the study than either of the voucher student groups. While voucher students had higher total test scores entering first grade, this advantage quickly began to erode. In fact, one group of public school students—the applicant/non-recipients—surpassed the 2-year voucher students (with a score of 576) and had completely caught up with the 3-year voucher students by the end of second grade (scores of 583 each). And the non-applicant public school students (577) pulled slightly ahead of the 2-year voucher students and closed what had been an 11-point gap between themselves and the 3-year voucher students to only six points.[54]

Both public school groups displayed greater learning gains over the two years of the study than either of the voucher groups.

Some pro-voucher groups have tried to frame the 2001 data as proof that vouchers are superior to public schools by focusing on the test scores of the 3-year voucher students.[55] However, this ignores some compelling points. First, while Metcalf collected no data about students' kindergarten experience, it *is* known that: 1) the 3-year voucher students attended kindergarten, but 2) the Cleveland public schools did not offer any full-day kindergarten during the 1997-98 school year—except in magnet schools—when these public school students would have been in kindergarten. This factor would generally be expected to give 3-year voucher students an advantage.[56] In the study's technical report, Metcalf himself noted the role this factor may have played in favoring 3-year voucher students:

> ... the 3-year [voucher] scholarship students in our sample may have had more experience in formal schools than students in the other groups. Or, parents who were sufficiently interested and motivated to obtain a scholarship for their children to attend private kindergarten may be more involved, interested, and supportive of their children's education than other parents.[57]

Moreover, it is entirely possible that some Cleveland families actually chose the voucher program for 1997-98 specifically because it gave them access to kindergarten opportunities that were not available in the public schools.

Second, despite the advantage that students in the 3-year voucher group had entering first grade, *both* groups of public school students made greater gains over the course of the two years that were studied—and one public school group actually caught up with the 3-year voucher students.

Third, and most importantly, Metcalf concluded that the analysis of student test results from voucher schools and public schools *"presented no clear or consistent pattern tha[t] can be attributable to [voucher] program participation."*[58] Echoing this view, officials at the Ohio Department of Education summed up the study in distinctly lukewarm terms, noting that voucher students "perform at a similar academic level as public school students."[59]

The study's author wrote that the findings "presented no clear or consistent pattern" that was "attributable to [voucher] program participation."

One issue that emerges from the latest Cleveland evaluation—released in early September—is that the voucher student population is not representative of the city's school population from which it is drawn. Metcalf found that the voucher students were disproportionately white, and that this phenomenon increased over the course of the study. Although only 16 percent of the public school non-applicant sample were white, nearly 30 percent of the voucher students were white at the start of the study. This imbalance was further accentuated when 59 percent of those entering the voucher program in second grade were white. By this point, the voucher group was also notably less poor than the public school students. This is consistent with concerns that vouchers are likely to exacerbate racial segregation and other inequalities in U.S. schools.[60]

Two 1999 reports by voucher proponents purported to show that vouchers will, in fact, integrate, rather than segregate, private schools. However, available evidence does not corroborate this view. For example, a study cited by the voucher proponents claims that voucher students are more likely than public school students to attend a school whose racial composition is representative of the community-at-large. This claim was based on an apples-to-oranges comparison of Cleveland metropolitan data—which includes suburban schools—with the Cleveland school district. However, suburban schools are *not* participating in the voucher program. By using the relevant apples-to-apples comparison of Cleveland city school data and utilizing the guidelines set up under the desegregation order that applies to the city's public schools, Cleveland public school students are about *four times* more likely to attend integrated schools than voucher students.[61]

7. How do vouchers affect religious liberty?

Voucher opponents contend that voucher programs threaten students' religious liberty and violate the separation of church and state. The face value of vouchers—a maximum of $2,250 per student—has attracted mainly religious schools, whose tuition rates are often kept low by subsidies from churches or other institutions. As a result, voucher parents' choices are limited largely to religious schools, and Ohio taxpayers, in effect, are subsidizing religion. During the 1996-97 school year, 77 percent of voucher students attended 46 religious schools, 35 of which were Catholic.[62] By 2000, more than 80 percent of private schools accepting voucher students were religious, and approximately 96 percent of all vouchers were routed to these schools.[63] By the end of the 1998-99 school year, the city's Catholic schools had received $3.3 million for voucher students, even as their overall enrollment continued to decline. This led two investigative reporters for the *Akron Beacon Journal* to observe that "the voucher program merely slowed an exodus from Cleveland's Catholic schools to the city's public schools."[64] Additionally, students attending religious schools generally cannot opt out of religious worship or activities.[65] Hence, in order to benefit from the voucher program, students must participate in religious activities even if these activities are contrary to their own or their families' beliefs.

Voucher parents' choices are limited largely to religious schools, and Ohio taxpayers, in effect, are subsidizing religion.

In December 2000, the U.S. Court of Appeals for the Sixth Circuit acknowledged this fact in noting that the "mission statements of these [voucher] schools reflect that most believe in interweaving religious beliefs with secular subjects. The sectarian schools also follow religious guidelines, including instruction in religion and mandated participation in religious services...." The court cited examples of voucher schools' mission statements, including one school that requires students to "pledge allegiance to the Christian flag and to the Savior for whose Kingdom it stands, One Savior crucified, risen and coming again with life and liberty for all who believe." Another voucher school believes that "the one cardinal objective of education to which all others point is to develop devotion to God as our Creator, Redeemer, and Sanctifier." The court found that "[t]his scheme involves the grant of state aid directly and predominantly to the coffers of the private, religious schools, and it is unquestioned that these institutions incorporate religious concepts, motives, and themes into all facets of their educational planning.[66]

As a result, the U.S. Court of Appeals upheld a lower court ruling that permanently enjoined the Cleveland voucher program on the grounds that it unconstitutionally advances religion, finding that "when, as here, the government has established a program...which restricts [student] choice to a panoply of religious institutions and spaces with only a few alternative possibilities, then the Establishment Clause is violated."[67] The State of Ohio and voucher advocates represented by the pro-voucher Institute for Justice requested in May 2001 that the U.S. Supreme Court review the case.[68] The Bush administration filed a brief supporting the request, and a decision from the Court on whether to take the case is expected by October 1.

Conclusion

Over the last decade, while Ohio's public schools drew national attention for having the most deteriorated buildings in the country and for maintaining one of the most inequitable systems of school funding, the state has been spending $600 for every *private* school student in the state. Meanwhile, rather than addressing the real problems and needs of the public schools, the legislature has chosen to reaffirm its support for the Cleveland voucher program, which has cost millions of dollars with no demonstrable impact on educational achievement.

When the legislature launched the voucher program, it funded the costs by depleting the very kind of aid that is specifically designed to help poor and at-risk students in the public schools. On top of that, for the last three years, the city's schools have had to provide and pay for the transportation of voucher students from their own budget. These transportation costs, combined with a loss in Disadvantaged Pupil Impact Aid, will cost the Cleveland Municipal School District more than $10 million this school year, a cost incurred for 4,266 students who don't even attend the public schools—and *many of whom never did.* Despite claims by voucher proponents, the official audit of the voucher program found that savings to the public schools when students transfer to voucher schools do *not* compensate for the money public schools lose in per-pupil funding.

Sold to legislators and the public as a program to benefit poor kids who were attending public schools, the voucher program has failed to fulfill this goal. The legislature has *never* placed an income cap on eligibility, and the courts have determined that nearly 40 percent of voucher students come from families above the poverty line—and one-third of all voucher students were already attending private schools. Moreover, there is no credible evidence demonstrating that vouchers offer an academic advantage over public schools. In fact, the most recent state-commissioned evaluation released earlier this month shows public school students making greater gains over the two years of the study than voucher students achieved. For five full years, Ohio taxpayers have funded a program that is long on promises, but short on accountability.

ENDNOTES

[1] Doug Oplinger and Dennis J. Willard, "Voucher system falls short of goals," *The Akron Beacon Journal*, December 14, 1999.
[2] Randy Ludlow, "Parents who benefit hail school vouchers," *Washington Times*, September 30, 1996.
[3] "The Cleveland Voucher Program: Who Chooses? Who Gets Chosen? Who Pays?" A Report by the American Federation of Teachers, 1997.
[4] ibid; Ohio Department of Education.
[5] In FY 1998, $5,953,254 was expended on Cleveland vouchers from a line item in the state budget. The remainder of the $35.1 million in Cleveland Scholarship and Tutoring Program (CSTP) expenditures has come from the DPIA. Ohio Department of Education, Cleveland Scholarship and Tutoring Program, Final Expenditures for Fiscal Years 1996-2000.
[6] CSTP provides vouchers for private-school students and tutoring grants for public school students. Since 1996, the cost to CSTP for vouchers has been $28.1 million. This figure includes costs for transportation from 1996-98 only (since 1998, transportation costs have been borne by the Cleveland City Public School district). The amount of $28.1 million does not include any of the administrative costs of the Cleveland Scholarship and Tutoring Program, which totaled $5.6 million for the period. Assuming that the voucher and tutoring components' respective share of administrative costs are proportionate to their programmatic costs, the total

CSTP costs for the voucher program would be $33.4 million. Cleveland Municipal School District costs for transporting voucher students are not less than $500 per student per year. With 4,266 voucher students in 2001-2002, transportation costs will exceed $2 million. Ohio Department of Education, Cleveland Scholarship and Tutoring Program, Final Expenditures for Fiscal Years 1996-2000; phone conversation with the Transportation Division of the Cleveland Municipal School District, September 20, 2001.

[7] Doug Oplinger and Dennis J. Willard, "Vouchers Costing Ohio," *Akron Beacon Journal*, March 27, 1998. Part of the *Akron Beacon Journal* investigative series "Whose Choice?" culminating five years of investigative reporting by the two authors.

[8] Michael Hawthorne, "State Aid to Private Schools Up: Public Districts Feel Slighted," *Cincinnati Enquirer*, March 29, 1998.

[9] "Enrollment Booms, But Buildings Implode," *The Blade*, September 1, 2001.

[10] "Voucher System Falls Far Short of Goals," *Akron Beacon Journal*, December 14, 1999; Michael Hawthorne, "State Aid to Private Schools Up: Public Districts Feel Slighted," *Cincinnati Enquirer*, March 29, 1998.

[11] "Charter Schools Seek Boost," *Akron Beacon Journal*, April 5, 2001.

[12] Greg F. Orlofsky and Lynn Olson, "State of the States," *Education Week*, January 11, 2001, pp. 104, 166.

[13] Doug Oplinger, "Court to State: Spend More, Legislators Balk at Cost; Showdown is Possible," *Akron Beacon Journal*, September 7, 2001.

[14] "Voucher System Falls Far Short of Goals," *Akron Beacon Journal*, December 14, 1999.

[15] Analysis of data from the Ohio Department of Education, Cleveland Scholarship and Tutoring Program, Final Expenditures for Fiscal Years 1996-2000; "State Aid to Private Schools Up: Public Districts Feel Slighted," *Cincinnati Enquirer*, March 29, 1998, pp. 3-4.

[16] "Cleveland Scholarship and Tutoring Program: Final Management Study," Prepared by KPMG LLP, September 9, 1999, p. 9-5.

[17] Ohio Stat. §3317.029.

[18] Data includes prorated share of the Cleveland Scholarship and Tutoring Program's administrative costs. Total costs of the program from 1996-01 were $35.1million. Of that amount, approximately $6 million came from direct state funding in FY 1998. Of the remaining $29.1 million, approximately $27.6 million paid for the voucher program, while $1.5 million paid for the tutoring portion of the Cleveland Scholarship and Tutoring Program. Thus, we can make the assumption that the $5.5 million in program administrative costs was proportionally attributable to the voucher and tutoring components based on their relative program costs. Analysis of data from the Ohio Department of Education, Cleveland Scholarship and Tutoring Program, Final Expenditures for Fiscal Years 1996-2000; "The Cleveland Voucher Program: Who Chooses? Who Gets Chosen? Who Pays?" A Report by the American Federation of Teachers, 1997, p. iii-iv.

[19] "The Cleveland Voucher Program: Who Chooses? Who Gets Chosen? Who Pays?" A Report by the American Federation of Teachers, 1997, p. ii.

[20] It costs the city schools about $500 per student for transportation. The costs for the city to transport voucher students exceed that amount for the reasons mentioned. No specific cost estimates are available. Telephone conversation with the Transportation Division of the Cleveland Municipal School District, September 20, 2001.

[21] ibid.

[22] "The Cleveland Voucher Program: Who Chooses? Who Gets Chosen? Who Pays?" A Report by the American Federation of Teachers, 1997, pp. i-iii.

[23] "Cleveland School Vouchers: Where the Students Come From," Cleveland OH: Policy Matters Ohio, September 2001.

[24] *Doris Simmons-Harris v. Dr. Susan Tave Zelman*. United States Court of Appeals for the Sixth Circuit, Case #99-4037.

[25] Jim Petro, "Cleveland Scholarship and Tutoring Program: Special Audit Report, July 1, 1995 through June 30, 1998," Auditor of State, State of Ohio, Supplement to the Special Audit Report, pp. 4, 13; Auditor of State Press Release "Petro Issues Special Audit of Cleveland Voucher Program."

[26] "More Schools Cash in on Vouchers: State Legislation Would Expand Disputed Program," *Akron Beacon Journal*, April 4, 2001; "Charter Schools Seek Boost," *Akron Beacon Journal*, April 5, 2001.

[27] "In Education, Money Talks: David Brennan's White Hat Management Changes the Way Business, Politics and School Vouchers Mix," *Akron Beacon Journal*, December 13, 1999; David Brennan, a voucher advocate has helped shaped the Cleveland legislature for adopting vouchers. Brennan's Education Management

Organization runs 16 of Ohio's 48 charter school, enrolling more than 3,200 students and controlling 45 percent of state and local funds.

[28] "Voucher Plan Leaves Long List of Broken Vows: Program Costs Public Schools, Doesn't Raise Private Enrollment and Leaves Handicapped Students Behind," *Akron Beacon Journal*, December 14, 1999.

[29] Data received from the Ohio Department of Education, 2000-01 participating voucher schools.

[30] "Statistical Analysis Report: Private Schools in the United States: A Statistical Profile, 1993-1994." National Center for Education Statistics, U.S. Department of Education, OERI, July 1997, p. 74.

[31] "Barriers, Benefits and Costs of Using Private Schools to Alleviate Overcrowding in Public Schools, Final Report." U.S. Department of Education, Office of the Under Secretary, 1998, pp. xi, 51.

[32] ibid.

[33] "Choice School Accountability: A Consensus of Views in Ohio & Wisconsin," Public Policy Forum, February 1998, p. 14.

[34] John McCarthy, "Sponsor Wants to Keep Gun Bill's Focus Narrow," *Associated Press State and Local Wire*, January 11, 2000; Ohio state legislative status hotline, August 30, 2001.

[35] ibid; Scott Stephens and Mark Vosburgh, "Murderer on Staff of State-Funded Private School," *Cleveland Plain Dealer*, July 1, 1999.

[36] Scott Stephens and Mark Vosburgh, "Murderer on Staff of State-Funded Private School," *Cleveland Plain Dealer*, July 1, 1999.

[37] ibid.

[38] Cleveland Scholarship and Tutoring Program Islamic Academy School of Arts and Sciences Special Audit Report," State of Ohio, Office of the Auditor, July 1, 1996 through June 30, 1999, executive summary, pp. 7, 11-12.

[39] "Ohio Department of Education Will Use Audit Report of Islamic Academic to Pursue Restitution of Voucher Monies," Press Release, Ohio Department of Education, January 6, 2000.

[40] Mark Vosburgh, "Voucher Backers Repay Funds: State Says School Got Tuition For No-Shows," *Cleveland Plain Dealer*, January 14, 2000.

[41] Scott Stephens and Mark Vosburgh, "Voucher School Relies on Videos as Teachers," *Cleveland Plain Dealer*, July 10, 1999; "Ohio Department of Education Revokes Voucher Privileges," Press Release, Ohio Department of Education, September 29, 1999.

[42] Cleveland Scholarship and Tutoring Program, Audit conducted by Deloitte & Touche LLP, Cleveland, Ohio, September 1997, pp. 13, 10 (for estimates of transportation costs).

[43] Jim Petro, "Petro Issues Special Audit of Cleveland Voucher Program," Press Release, Auditor of State, State of Ohio, January 5, 1999.

[44] Kim K. Metcalf, "Evaluation of the Cleveland Scholarship and Tutoring Grant Program 1996-1999," Bloomington, IN: The Indiana Center for Evaluation, Indiana University, 1999.

[45] ibid, pp. 14-16. Metcalf's 1999 study uses two types of analysis. The first one takes into account students' background characteristics and academic achievement prior to entering the voucher program. Voucher students in established private schools demonstrated no test score advantage over their public school peers in reading, math or social studies. However, measurable gains by these students were made in language arts and science. The second analysis takes into account classroom characteristics such as class size, teacher experience and education level. There were no statistically significant differences in reading, math, social studies, language or the overall scores. Voucher students scored better in science, by 2.2 percentile points (38.3 versus 36.1). In contrast, voucher students attending newly established private schools had lower scores in all five subjects and overall in both analyses (with and without classroom characteristics).

[46] ibid.

[47] Legislative Office of Education Oversight, "Memo to the members of the Legislative Committee on Education Oversight, RE: Evaluation of Cleveland Scholarship and Tutoring Program, July 23, 1998.

[48] ibid.

[49] ibid.

[50] Kim Metcalf, "Advocacy in the Guise of Science," *Education Week*, September 23, 1998.

[51] ibid.

[52] Legislative Office of Education Oversight, "Memo to the members of the Legislative Committee on Education Oversight, RE: Evaluation of Cleveland Scholarship and Tutoring Program, July 23, 1998.

[53] Kim Metcalf, "Evaluation of the Cleveland Scholarship Program, 1998-2000: Technical Report." Bloomington IN: Indiana Center for Evaluation, Indiana University, September 2001.
[54] ibid.
[55] The Center for Education Reform, Newswire: September 19, 2001; accessed via the Web: www.edreform.com/update/index
[56] Information from the Ohio Department of Education, phone conversation, August 2001.
[57] Kim Metcalf, "Evaluation of the Cleveland Scholarship Program, 1998-2000: Technical Report." Bloomington IN: Indiana Center for Evaluation, Indiana University, September 2001, p. 58.
[58] ibid, p. 11.
[59] "Ohio Takes a National Lead in Choice Study," Ohio Department of Education, September 4, 2001, accessed via: www.ode.state.oh.us.
[60] ibid.
[61] The court-ordered desegregation guideline determines that schools should be within 15 percent of the citywide average demographic, which is 70.4 percent African American. Schools with a student body between 55-85 percent African-American students would be in compliance. Using the data from the study and seeking to prove greater integration ("Choice and Community: The Racial, Economic and Religious Context of Parental Choice in Cleveland," by Jay P. Greene, for the Buckeye Institute for Public Policy Solutions: Columbus, OH, November 1999), approximately 43 percent of public school students attend schools that fit this category, compared to only 11 percent of the voucher students. For a complete analysis of the claims of increased racial integration in voucher schools, see "Apples vs. Oranges: A Critique of Two Flawed Studies of Vouchers & Integration," by Elliot M. Mincberg and Dwight R. Holmes, People For The American Way Foundation, December 23, 1999, pp. 2-3.
[62] Alex Molnar, "Educational Vouchers: A Review of the Research," report by Center for Education Research, Analysis and Innovation, October 1999, p. 16.
[63] Darcia Harris Bowman, "Appeals Court Rejects Cleveland Voucher Program," *Teacher Magazine*, December 13, 2000; Research conducted by Michael Charney, Cleveland Teachers Union, August 2001.
[64] "Voucher System Falls Far Short of Goals," *Akron Beacon Journal* December 14, 1999.
[65] Research conducted by Michael Charney, Cleveland Teachers Union, August 2001.
[66] *Doris Simmons-Harris v. Dr. Susan Tave Zelman*. United States Court of Appeals for the Sixth Circuit, Case #99-4037.
[67] ibid.
[68] Mark Walsh, "Cleveland Voucher Decision Appealed to Supreme Court," *Education Week*, May 30, 2001.

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